

**Alexandria Township
Land Use Board
October 21, 2021**

Chair Phil Rochelle called the regular scheduled meeting of the Alexandria Township Land Use Board to Order at 7:36pm. The meeting was duly noticed.

Members Present: Chair Rochelle, Papazian, Fritsche, Freedman, Canavan, Committeeman Kiernan, Giannone, Pauch, and Kimsey.

Members Absent: Tucker, Deputy Mayor Pfefferle, and Mr. Hahola.

Board Professionals Present: Kara Kaczynski-Attorney, and David Banisch-Planner

Others Present:

Jay Thatcher-Attorney for Applicant

Minutes Approval

A motion to approve the August 19, 2021 regular meeting minutes of the Land Use Board was made by **Pauch** and seconded by **Freedman**. **Vote: Ayes: Chair Rochelle, Papazian, Fritsche, Freedman, Canavan, Giannone, Pauch and Kimsey. Abstain: Committeeman Kiernan. No Nays. Motion Carried.**

New and pending Matters

Papazian recused himself at 7:37pm.

**K Street – Use Variance – Amended Site Plan – Resolution of Approval
Block 15 Lot 10
681 Cty Road 513**

A motion to approve the Resolution of Approval was made by **Canavan** and seconded by **Kimsey**. **Vote: Ayes: Chair Rochelle, Freedman, Canavan, Giannone, Pauch and Kimsey. No Nays. Motion Carried.**

Papazian returned to the Board at 7:39pm.

De Sapio Properties #6 Inc. and Delaware River Tubing – Resolution Accepting the Withdrawal of the Application

**Block 17.01 Lot 12
776 Milford-Frenchtown Road**

Kaczynski advised the Resolution accepts the withdrawal of the application and makes clear there are various conditions of the 2016 site plan approvals that remain incomplete to date that need to be complied with. The withdrawal of the application waives any and all rights to any relief requested by the application and discussed by the Board, in addition to other requirements.

A motion to adopt the resolution was made by **Papazian** and seconded by **Fritsche**. **Vote: Ayes: Chair Rochelle, Papazian, Fritsche, Freedman, Canavan, Committeeman Kiernan, Giannone, Pauch and Kimsey.**

Committeeman Kiernan advised there are multiple violations that need to be addressed from 2016. He asked if the Board can draft a letter to the zoning officer regarding these violations. **Kaczynski** advised the Land Use Board is not an enforcement Board and unable to enforce any outstanding violations. **Canavan** asked to confirm that the applicant would need to start over if they decided to amend the site plan again. **Kaczynski** confirmed they would.

Fritsche recused himself at 7:45pm

Fritsche – Minor Subdivision – Completeness Review
Block 10 Lots 1.01 & 1.14
65 & 74 Airport Rd.

Mr. Thatcher was present for the completeness review. **Chair Rochelle** commented on the outstanding items for completeness per the Board engineer's letter dated October 20, 2021. The engineer recommended that the application be deemed complete.

A motion to deem the application complete subject to a temporary waiver for item A-30 was made by **Kimsey** and seconded by **Committeeman Kiernan**. **Vote: Ayes: Chair Rochelle, Papazian, Freedman, Canavan, Committeeman Kiernan, Giannone, Pauch and Kimsey. No Nays. Motion Carried.**

Fritsche returned to the Board at 7:47.

Sign Ordinance – tabled to a future meeting.

Chair Rochelle advised that the Board will need to revisit the cannabis ordinance and to be prepared to discuss. **Banisch** advised that the Board was contemplating a conditional use ordinance with discussion of optional conditions. He discussed some conditions to consider like the appearance of the building, odor control, and buffering. The Board commented on how to measure odor and parameters for odor control. **Chair Rochelle** expressed concerns about the cultivating facility being allowed by the state to also have a marijuana dispensary. There was an additional discussion on revenue streams to Townships.

Banisch commented on the revenue stream of the facility to the Township. He understands the stream is tied to the recreational marijuana and not medical. **Banisch** advised he would obtain clarification and discussed other conditions that could be attached to the ordinance with regards to the revenue stream.

Chair Rochelle asked if there were any additional comments from the Board. There were none.

Chair Rochelle asked if there were any comments from the public. There were none.

Approval of the Bills

A motion was made by **Pauch** and seconded by **Kimsey** to approve the bills for the professionals of the Land Use Board. **Vote: Ayes: Chair Rochelle, Fritsche, Freedman, Canavan, Committeeman Kiernan, Giannone, Pauch and Kimsey. Abstain: Papazian. No Nays. Motion Carried.**

Chair Rochelle asked for additional comments. He commented he would like the Board to consider creating and adopting bylaws for procedure of proceedings for public hearings and meetings. **Canavan** asked what the difference is between the by-laws and the standard Robert's Rules of Order. **Kaczynski** explained the background for municipalities to establish by-laws. She advised it would be a 4-page

document that would be easy for the Board and residents to refer to. **Freedman** advised that it would be documenting what the Board does already and would help the public as well. **Giannone** asked if there was a difference in procedure depending on if the Board is acting as the zoning board or is acting as the planning board. **Kaczynski** advised there is not a difference in procedure. She advised as a zoning board there could be legal issues if not handled procedurally. **Chair Rochelle** asked for a motion to have the attorney draft by-laws for the Board. The motion was made by **Kimsey** and seconded by **Papazian**. **Vote: Ayes: Chair Rochelle, Papazian, Fritsche, Freedman, Canavan, Committeeman Kiernan, Giannone, Pauch and Kimsey. Motion Carried.**

Motion to Adjourn

A motion was made by **Committeeman Kiernan** and seconded by **Kimsey** to adjourn at 8:18pm. **Vote: Ayes: Chair Rochelle, Papazian, Fritsche, Freedman, Canavan, Committeeman Kiernan, Giannone, Pauch and Kimsey. Motion Carried.**

Respectfully Submitted,

Leigh Gronau
Land Use Board Secretary